

**THIS IS A CONSUMER CREDIT TRANSACTION**

STATE OF NEW YORK

SUPREME COURT

COUNTY OF KINGS

Cavalry SPV I, LLC

Plaintiff,

SUMMONS

-against-

Index No.:

Date Filed:

Jacob Sabbagh

1424 E 13Th St # 2

Brooklyn NY 11230-6604

Defendant(s).

**TO THE ABOVE-NAMED DEFENDANT(S):**

**YOU ARE HEREBY SUMMONED** to appear and answer the Verified Complaint annexed hereto by serving a copy of your Answer on Plaintiff's attorneys within twenty (20) days after service of this Summons, exclusive of the date of service (or within thirty (30) days after service is complete if this Summons is not personally delivered to you in New York State) and in case of your failure to appear or answer, Judgment will be taken against you by default for the amount of money demanded in the annexed Verified Complaint.

Dated: August 13, 2020

GIRVIN &amp; FERLAZZO, P.C.

By: 

Alex S. Dahle, Esq.

Attorneys for Plaintiff

Office and P.O. Address

P. O. Box 11623

Albany, New York 12211

(877) 814-6976

The basis of venue designated above is that Defendant(s) reside(s) in the County of Kings.

STATE OF NEW YORK  
SUPREME COURT

COUNTY OF KINGS

Cavalry SPV I, LLC

Plaintiff

**VERIFIED  
COMPLAINT**

-against-

Index No.:  
Dated Filed:

Jacob Sabbagh  
1424 E 13Th St # 2  
Brooklyn NY 11230-6604

Defendant.

Plaintiff Cavalry SPV I, LLC by and through its attorneys, Girvin & Ferlazzo, P.C., sets  
for the following as and for its Verified Complaint against the Defendant:

**FIRST CAUSE OF ACTION (BREACH OF CONTRACT)**

1. Plaintiff Cavalry SPV I, LLC is a foreign limited liability company duly organized and existing under the laws of the State of Delaware, and is duly registered to do business in the State of New York.
2. At all times relevant herein, Plaintiff Cavalry SPV I, LLC was duly licensed by the New York State Department of Consumer Affairs (License No, 1327348), and has been continuously so licensed since 2009.
3. Defendant applied for and was granted a credit account by Plaintiff's predecessor-in interest, Citibank, N.A./AAdvantage, designated and assigned Account No. \*\*\*\*\*9336.
4. Defendant made charges, and/or took cash advances, and/or otherwise borrowed against the credit account, resulting in an outstanding account balance of \$64,542.41 as of August 13, 2020.

5. Defendant failed to timely make one or more monthly payments toward the outstanding balance, as required under the terms and conditions governing said credit account, and is in default of said credit agreement.

6. Despite written demand, Defendant has failed, refused, or neglected to make full payment of the balance due and owing in connection with the credit account.

7. Plaintiff is the owner of all right, title, and interest in the subject credit account pursuant to an Assignment and/or Bill of Sale entered into with the original creditor, or a successor to the original creditor, dated September 18, 2019.

8. By reason of the foregoing, Defendant is indebted to the Plaintiff in the amount of \$64,542.41.

#### **SECOND CAUSE OF ACTION (ACCOUNT STATED)**

9. The allegations contained in Paragraphs "1" through "8" of the First Count are incorporated by reference.

10. Periodic account statements setting forth charges and amounts due on the credit account were transmitted to Defendant.

11. Defendant received and retained said periodic account statements for an unreasonable period of time without protest or objection.

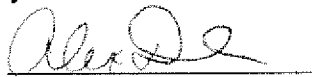
12. Defendant has failed, refused, or neglected to make full payment of the balance due and owing in connection with the credit account as represented on the account statements.

13. Pursuant to the account statements sent to Defendant, Defendant is indebted to the Plaintiff in the amount of \$64,542.41.

WHEREFORE, Plaintiff Cavalry SPV I, LLC demands that Judgment be entered herein against the named Defendant in the amount of \$64,542.41, together with the costs and disbursements of the action.

Dated: August 13, 2020

GIRVIN & FERLAZZO, P.C.  
Attorneys for Plaintiff

By:   
Alex S. Dahle  
Office and P.O. Address  
20 Corporate Woods Boulevard  
Albany, New York 12211  
T: 518-462-0300  
F: 518-462-5037

## VERIFICATION

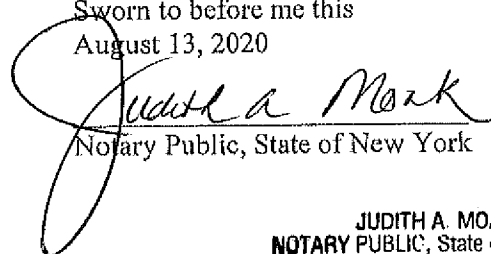
STATE OF NEW YORK     )  
                                      ) S.S.:  
COUNTY OF ALBANY     )

Alex S. Dahle, being duly sworn, deposes and states that he is an attorney duly admitted to practice in the State of New York, and is an associate of Girvin & Ferlazzo, P.C., attorneys for Plaintiff in the above captioned action; that he has read the foregoing Verified Complaint and is familiar with the contents thereof; and that the matters set forth therein are true to his knowledge, except as to matters therein stated to be alleged upon information and belief, and as to those matters he believes them to be true.

The grounds of deponent's belief are his review of documents and other information pertaining to the matters raised herein. The reason why this Verification is not made by the parties represented by the undersigned is that such parties do not reside in the county where the undersigned has his office.

  
Alex S. Dahle

Sworn to before me this  
August 13, 2020

  
Notary Public, State of New York

JUDITH A. MOAK  
NOTARY PUBLIC, State of New York  
No. 01M06080559  
Qualified in Albany County 22  
Commission Expires 9/16/2022

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

Plaintiff/Petitioner,

- against -

Jacob Sabbagh

Index No.

Defendant/Respondent.

NOTICE OF COMMENCEMENT OF ACTION  
SUBJECT TO MANDATORY ELECTRONIC FILING

PLEASE TAKE NOTICE that the matter captioned above, which has been commenced by filing of the accompanying documents with the County Clerk, is subject to mandatory electronic filing pursuant to Section 202.5-bb of the Uniform Rules for the Trial Courts. This notice is being served as required by Subdivision (b) (3) of that Section.

The New York State Courts Electronic Filing System ("NYSCEF") is designed for the electronic filing of documents with the County Clerk and the court and for the electronic service of those documents, court documents, and court notices upon counsel and self-represented parties. Counsel and/or parties who do not notify the court of a claimed exemption (see below) as required by Section 202.5-bb(e) must immediately record their representation within the e-filed matter on the Consent page in NYSCEF. Failure to do so may result in an inability to receive electronic notice of document filings.

Exemptions from mandatory e-filing are limited to: 1) attorneys who certify in good faith that they lack the computer equipment and (along with all employees) the requisite knowledge to comply; and 2) self-represented parties who choose not to participate in e-filing. For additional information about electronic filing, including access to Section 202.5-bb, consult the NYSCEF website at [www.nycourts.gov/efile](http://www.nycourts.gov/efile) or contact the NYSCEF Resource Center at (646)386-3033 or [efile@courts.state.ny.us](mailto:efile@courts.state.ny.us).

Dated: August 13, 2020



(Signature)

20 Corporate Woods Blvd. Albany, NY 12211 (Address)

Alex S. Dahle (Name)

518-462-0300 (Phone)

Girvin & Ferlazzo, PC (Firm Name)

\_\_\_\_ (E-Mail)

To:

Jacob Sabbagh

1424 E 13Th St # 2

Brooklyn NY 11230-6604